

NOTICE: Summary decisions issued by the Appeals Court pursuant to its rule 1:28, as amended by 73 Mass. App. Ct. 1001 (2009), are primarily directed to the parties and, therefore, may not fully address the facts of the case or the panel's decisional rationale. Moreover, such decisions are not circulated to the entire court and, therefore, represent only the views of the panel that decided the case. A summary decision pursuant to rule 1:28 issued after February 25, 2008, may be cited for its persuasive value but, because of the limitations noted above, not as binding precedent. See Chace v. Curran, 71 Mass. App. Ct. 258, 260 n.4 (2008).

COMMONWEALTH OF MASSACHUSETTS

APPEALS COURT

18-P-315

B. WOE, SEX OFFENDER REGISTRY BOARD NO. 497341

vs.

SEX OFFENDER REGISTRY BOARD (NO. 2).

MEMORANDUM AND ORDER PURSUANT TO RULE 1:28

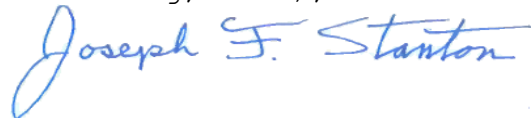
This case is back before us after the Supreme Judicial Court, acting on the plaintiff's petition for further appellate review, remanded the case for further consideration in light of Doe, Sex Offender Registry Bd. No. 496501 v. Sex Offender Registry Bd., 482 Mass. 643 (2019). Because the plaintiff seasonably raised the relevant claims, we conclude that the case should be remanded to the hearing examiner for further factual findings as to (1) the degree of dangerousness posed by the plaintiff, and (2) whether, given the plaintiff's risk of reoffense and degree of dangerousness, a public safety interest would be served by Internet publication of the plaintiff's sex

offender registry information.

Accordingly, the judgment is vacated, and a new judgment shall enter remanding the case to the Sex Offender Registry Board for further proceedings consistent with this memorandum and order.

So ordered.

By the Court (Meade, Blake &  
Massing, JJ.<sup>1</sup>),



Clerk

Entered: August 14, 2019.

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<sup>1</sup> The panelists are listed in order of seniority.